

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

KELLI BERTL, Personal Representative
of the Estate of LARRY BERTL,

Plaintiff,

-vs-

CITY OF WESTLAND, et al.,

Defendants.

CASE NO. 04-CV-75001

PAUL D. BORMAN
UNITED STATES DISTRICT JUDGE

AMENDED SCHEDULING ORDER

**(1) RESCINDING THE COURT'S APRIL 11, 2007 SCHEDULING ORDER;
(2) DENYING PLAINTIFF'S EX PARTE MOTION FOR LEAVE TO FILE
SUPPLEMENTAL BRIEF; (3) STRIKING PLAINTIFF'S SECOND SUPPLEMENTAL
BRIEF; (4) STRIKING PLAINTIFF'S RESPONSE BRIEFS;
(5) STRIKING DEFENDANTS' REPLY BRIEFS; (6) RESETTING DEADLINES FOR
SUMMARY JUDGMENT BRIEFING; AND (7) ADJOURNING SUMMARY
JUDGMENT MOTION HEARING**

Before the Court is Plaintiff's July 25, 2007 Ex Parte Motion for Leave to File a Supplemental Brief in Opposition to Defendant Thomas' Motion for Summary Judgment. (Doc. No. 312). On August 1, 2007, Plaintiff filed an Second Supplemental Brief in Opposition to Defendant Thomas' Motion for Summary Judgment. Plaintiff also seeks to file additional supplemental briefs after further discovery. Discovery for expert witnesses has been extended until September 12, 2007.

The Court will not accept multiple response briefs. Accordingly, the Court will strike Plaintiff's response briefs, and permit Plaintiff to file its response briefs at the end of discovery. Given this ruling, the Court also strikes Defendants' reply briefs, responding to the now-stricken response briefs. Defendants will be permitted to reply after Plaintiff files her response briefs.

The Court hereby:

- (1) **RESCINDS** the Court's April 11, 2007 Scheduling Order (Doc. No. 232);
- (2) **DENIES** Plaintiff's Ex Parte Motion for Leave to File a Supplemental Brief (Doc. No. 312);
- (3) **STRIKES** Plaintiff's Second Supplemental Brief in Opposition to Defendant Thomas' Motion for Summary Judgment (Doc. No. 318);
- (4) **STRIKES** Plaintiff's Response briefs (Doc. Nos. 292, 306);
- (5) **STRIKES** Defendants' Reply briefs (Doc. Nos. 303, 313);
- (6) **PERMITS** Plaintiff to file Response briefs (20-page maximum) by September 20, 2007;
- (7) **PERMITS** Defendants to file Reply briefs (5-page maximum) within 7 days after filing the Plaintiff's Responses; and
- (8) **ADJOURNS** the August 8, 2007 summary judgment motion hearing until Wednesday, October 24, 2007, at 2:00 p.m.

SO ORDERED.

s/Paul D. Borman
PAUL D. BORMAN
UNITED STATES DISTRICT JUDGE

Dated: August 3, 2007

CERTIFICATE OF SERVICE

Copies of this Order were served on the attorneys of record by electronic means or U.S. Mail on August 3, 2007.

s/Denise Goodine
Case Manager